Single Bench

CF 1002

IN THE HIGH COURT OF CHHATISGARH BILASPUR

WRIT PETITION (S) No. 4867 /2006

Petitioner : Shiv Kumar Rajak
S/o Late Ramjee Bareth,
Aged about 38 years
R/o Mahmand, P.O. Lalkhadan
Police station – Torwa
Dist : Bilaspur (C.G.)

P.R. No. 4892/06
Presented by Shri C.R. Sahu
dated 4/9/06

Versus

Respondents :1. Chhattisgarh State Electricity Board, Through : The Secretary Daganiya Raipur (C.G.)

2. Chief Engineer (Electricity) Korba, C.S.E.B. office Korba
Dist : Korba (C.G.)

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3. Madhya Pradesh State Electricity Board,
Through - The Secretary
Shakti Bhavan Rampur,
Jabalpur (M.P.)

SIONER ANA LVIYA 3073/96 04/07/06 Bilaspur Chhattisgarh

4. Union of India,
Through - The Secretary
Ministry of Personal Public Grievances and Pension (State Re-organization Cell) 3rd Floor
Lok Nayak Bhavan, Khan Market New Delhi.

WRIT PETITION (S) UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF AN APPROPRIATE WRIT IN THE NATURE OF MANDAMUS/CERTIORI ETC OR DIRECTION/ ORDER IN THE LIKE NATURE

HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.4867 OF 2006

Petitioner	:	Shiv Kumar Rajak
	versus	
Respondents	:	Chhattisgarh State Electricity Board and others

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Present : Mr. C.R.Sahu, counsel for the petitioner.
Mr. Pavan Shrivastava, Advocate appears on behalf of Mr. A.S.Gaharwar, counsel for respondents No.1 & 2.
Mr. S.K.Beriwal, counsel for respondent No.4.
None appears for respondent No.3.

ORDER
(Passed on 6th of September, 2006)

Shri Ramjee Bareth, father of the petitioner, who was working as Paricharak Grade-I (Lineman), died in harness on 30-8-1999, while working in the office of respondent No.2. According to learned counsel for the petitioner, the petitioner made an application dated 18-1-2000 (Annexure P-2) for grant of

compassionate appointment. The concerned respondent has not decided the application filed by the petitioner as yet.

2. This Court, by order dated 6-7-2006 in Writ Petition No.1459/2004, has held as under :-

> "It is the responsibility of CSEB that even the employees who died before 15-11-2000, that is the date of coming into existence of CSEB, dependants of such employees are entitled for compassionate appointment on the ground that as per the decision of Union of India which has been referred to in W.P.No.1126/2003 (order dated 20-6-2006), the division of employees shall be made territory-wise. Petitioner No.2's father was working in the territory of CSEB, as such, petitioner No.2 is entitled for consideration of appointment on compassionate ground. Even the State of Chhattisgarh, which came into existence on 1-11-2000 under the M.P. Reorganisation Act, 2000, has decided that the dependants of those employees who died on or after 1-11-1997 shall be eligible for consideration of appointment on compassionate ground."

3. As such, respondent No.1 – Board is competent to decide the application of the petitioner already pending or any representation made hereinafter in accordance with law for grant of

compassionate appointment to the petitioner, to which learned counsel appearing for respondents No.1, 2 and 4 have no objection.

4. The petition stands disposed of with the above-stated observation. The liberty is reserved to the petitioner to make a representation, if so advised, in continuation of his earlier application dated 18-1-2000 (Annexure P-2) to the concerned authorities within a period of two weeks. On such representation being made, respondents No.1 and 2 are directed to consider the same within a period of six weeks thereafter, in accordance with law, on its own merit. No order as to costs.

Certified copy as per rules.

Sd/-
Satish K. Agnihotri
Judge

Gopal